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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.             | CONFIRMATION NO.            |
|--|-------------|----------------------|---------------------------------|-----------------------------|
| 10/551,093   | 09/29/2005  | Stephen C. P. Joseph | 58502US004                      | 1630                        |
| 32692 7590 04/25/2008<br>3M INNOVATIVE PROPERTIES COMPANY<br>PO BOX 33427<br>ST. PAUL, MN 55133-3427 |             |                      | EXAMINER<br>HWU, DAVIS D        |                             |
|  |             |                      | ART UNIT<br>3752                | PAPER NUMBER                |
|  |             |                      | NOTIFICATION DATE<br>04/25/2008 | DELIVERY MODE<br>ELECTRONIC |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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|                              |                                      |                                      |  |
|------------------------------|--------------------------------------|--------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/551,093 | <b>Applicant(s)</b><br>JOSEPH ET AL. |  |
|                              | <b>Examiner</b><br>Davis D. Hwu      | <b>Art Unit</b><br>3752              |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 February 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 and 17-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 13-15 and 17-21 is/are rejected.
- 7) ☒ Claim(s) 6-12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Response to Amendment***

1. Applicant's amendment and arguments of February 15, 2008 is entered and has been fully considered.
2. As a result of an updated search, the allowances as stated in the office action of October 17, 2007 is withdrawn in light of the new prior art.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***Claim Rejections - 35 USC § 102***

4. Claims 1-3, 18, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Dunning et al.

Dunning et al. show a liquid spraying apparatus comprising a spray gun 46 having an inlet, a reservoir, connector means as recited, the connector means being self-latching in response to connection of the outlet to the inlet and releasable, and permitting rotation of the outlet relative to the inlet while the reservoir is attached to the spray gun without compromising the integrity of the connection between the reservoir and the spray gun.

5. Claims 4, 5, 13-15, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Dunning et al.

Dunning et al. show a liquid spraying apparatus comprising a spray gun 46 having an inlet, a reservoir 10, a connector means connecting an outlet from the reservoir to the inlet of the spray gun, the connector means being releasable (abstract) as recited, wherein the connector means comprises at least one resilient clip 282 on the reservoir

and engageable with an abutment 284 on the spray gun to resist axial separation of the reservoir and spray gun while permitting rotation of the reservoir outlet relative to the spray gun inlet.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunning et al. in view of Salmon.

Salmon teaches a reservoir 12 having an outlet 20 and an inlet 16 in which the reservoir has a central longitudinal axis and wherein the outlet is at an end of the reservoir and is offset relative to the central longitudinal axis of the reservoir. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the device of Dunning et al. by providing the reservoir with an inlet separate from the outlet so the reservoir can be filled without removing the outlet means and making the outlet offset from the central longitudinal axis as taught by Salmon.

***Allowable Subject Matter***

8. Claims 6-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davis D. Hwu whose telephone number is 571-272-4904. The examiner can normally be reached on 8:00-4:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Len Tran can be reached on 571-272-1184. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Davis D Hwu/  
Primary Examiner, Art Unit 3752